

AM9-99-0134  
09/556,303REMARKS

This amendment is in response to the Examiner's Office Action dated 10/21/2004. On 11/10/2004 an examiner interview with Primary Examiner Susanna Diaz was held. Applicants are appreciative of the professional and courteous interview held with Examiner Diaz. Changes have been made to the independent claims as were discussed. The claims are believed to be in allowable form. If it is felt that a second interview is deemed necessary, please do not hesitate to contact applicants' representative. Reconsideration of this application is respectfully requested in view of the foregoing amendment and the remarks that follow.

STATUS OF CLAIMS

Claims 23-39 are pending.

Claims 23-29 stand rejected under 35 USC 102(b) as being anticipated by Perlman (USP 5,558,339).

OVERVIEW OF CLAIMED INVENTION

The presently claimed invention integrates both the time scheduling capabilities of a calendar system and the efficient matching functions of pairing services into one application that is powerful for many users, organizations and types of services. By integrating a calendar system with a matching service, the capabilities of the calendaring system will not only match an entity's similar interests or needs, but also provide a matching of activities according to time. This not only allows an entity to locate other entities that would be interested in a particular activity, but also allows an entity to locate other entities who can participate in the activity at particular times. Another advantage of the present invention is that it is of greater convenience to the entity to

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create a calendar event, rather than filling out, for instance, a separate application in which an entity does not remain anonymous. By easing the process of requesting a match operation, entries into the system are more readily made. Applications of this method include personal matching (such as a dating service), extracurricular activities, commerce-based activities, and job positions and/or qualifications.

#### REJECTIONS UNDER 35 USC 102(b)

The examiner has rejected claims 23-39 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,558,339 (Perlman), hereafter Perlman.

Perlman discloses a real-time video game system that focuses on linking remote players of a first computer with a second computer for interactive video game recording. The system is designed to match multiple users of real-time games by establishing a communication link with a plurality of other computers on a telephone line. The software for establishing the link includes processing logic that matches two users (computers) that are currently logged on to the system and have a desire to play a video game at that time.

Perlman does not describe or suggest the use of an electronic calendar event matching system. Furthermore, Perlman does not disclose an electronic calendaring system with time-based matching of activities. In fact, Perlman teaches away from the present invention by describing a real-time matching system with no consideration for duration of time or time periods.

As described below, Perlman has no use for calendar events and all matching is performed for users that are simultaneously online at the same time.

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On page 3 of the rejection, the examiner states that column 11, lines 11-43 teaches users may be matched together to play a game in real-time, where "in real-time is indicative of a time period." However, in the presently amended claims, a calendar event is to occur during a particular duration of time. As noted, for example, on page 8, lines 14-20 of the specification and figures 1B, 6A, and 7A, the calendar event matches are based on the particular time the event is to occur and are defined by a particular time period. The examiner also states on page 3 that Perlman has an embodiment that searches for matches "until a specified time out period expires," indicating "a record of a user's event requirements...until the end of an event time period." However, the location of a match in Perlman is for an event that is to take place currently or in real-time. Perlman does not search for matches that are going to occur and does not integrate a matching service with an electronic calendaring system.

The examiner responds to the applicant on page 4 that the term "calendar" is broad and that the Perlman reference implies that the desire of the game users "to play a game on the current date may be interpreted as a calendar event" and that the "game matching criteria...exemplifies calendar entries." However, the Perlman reference discloses real-time interaction for playing games and does not discuss the use of a calendaring system at all. Furthermore, real-time interaction occurs in the present and the events to be matched in current claims do not. The claims discuss the matching of calendar events that are to occur and have a particular duration of time. Since the Perlman reference is used for playing a game at the current time that users log in, it can not anticipate the claimed invention. Furthermore, Perlman does not require users to define a duration of time for game play or define a date of game play as in the present invention. Additionally, the examiner states that the "claimed invention does not recite

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specific details regarding the structural arrangement of the calendar or how the calendar elements are searched and matched.” The examiner states again (with regard to claim 38) on page 6 that “the claimed invention does not specify any details regarding how the recited calendar is to be structured.” However, it can be seen that the focus of the present claims are the elements of the electronic calendar system. The structure of the calendar is not the focus of the present invention, but rather the system used to search and obtain event matches. The use of a match engine for performing a search and finding a match—that is, “how” the elements are searched and matched—finds a matching event based on the duration of time, where an activity is to occur, event criteria, minimum matching requirements, and attributes is also claimed in claim 23. Noting the above, the Perlman reference does not anticipate the present invention.

Also on page 4, the examiner states that “claim 24 does not explain what a ‘timer module’ is, and that there is no “functionality associated with the timer module.” However, a closer reading of claim 24 states that the timer module is used to match events according to its schedule. Additional support is provided on page 12 of the specification, where it is stated that the timer module “is utilized to schedule the matching searches on a regular interval,” and on page 14 of the specification, the match engine searches the repository “to find a suitable match to the event at specified times indicated by timer module.” That is, the match engine may search the repository, for example, every hour until a match is found. Therefore, as the examiner notes, the fact that Perlman begins performing matches upon a user’s log in does not read on the currently claimed timer module. Furthermore, claim 24 is dependent on claim 23. In order to read upon the current invention, Perlman must identify each and every element of the claim. Since Perlman does not show or anticipate the elements of claim 23, it does not read on the present invention.

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With reference to claim 25, the examiner clearly states on page 5 that "Perlman's system operates on the premise of an implied date and time" and can therefore be said to utilize an electronic calendar application. The "implied" date and time, however, is of the current or present date and within the next few minutes. As previously noted, the current claims require matching of a calendar event that will occur during a particular duration of time. The Perlman reference does not claim an electronic calendaring system and does not state or imply the scheduling and matching of a calendar event.

The examiner responds to the applicant that in the Perlman reference "users specify which video games they would like to play, which is clearly indicative of a category," much like claims 26 and 27 of the present invention. However, as stated in the present claims, the calendar event functions comprise categories. The system in Perlman is not a calendaring system and does not performing matching of calendar events. Furthermore, as previously stated, Perlman does not anticipate claim 23. Therefore, the rejection is improper.

With regard to claims 28 and 29, the examiner responds that the offering of multi-player video game services in Perlman, column 11, lines 11-43 addresses "at least the recited categories of 'services desired' and 'services offered.'" Also, the examiner states that the "fact that users can select to pay business or off-hour rates by logging in" signifies the users have "the opportunity to log in to play a game when connection rates are cheapest, i.e. most favorable." However, the present invention requires the use of an electronic calendar system, wherein said categories are a part of the match(es) that are made according to the particular duration of time. Logging in during a specified time in the Perlman reference does not provide the electronic calendar matching performed by the match engine as described in the present claims.

In the claims

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The examiner notes column 11, lines 11-43 of Perlman as describing the elements of the claims of the present invention. In these lines, Perlman describes the process of a user (element User A) requesting real-time play of a video game to a server (element 88). The server then determines the logged-in users and matches pairs of currently logged-in users to play the game. Messages are then sent to the logged-in computers (elements 65 and 66; users A and B) indicating play can begin.

To be properly rejected under 35 U.S.C. § 102(b), each and every claim element must be shown in a single reference. Perlman does not describe or suggest the use of an electronic calendar event matching system. Furthermore, Perlman does not disclose an electronic calendaring system with time-based matching of activities. In fact, Perlman teaches away from the present invention by describing a real-time matching system with no consideration of calendar events that are of a particular duration or time period, or that are to occur. Perlman has no use for calendar events as all matching is performed for users that are simultaneously online at the same time. As logging-in is a requirement for Perlman, the use of Perlman with a calendar matching system as described in the present invention would be inoperative and would not achieve the stated goal of event matching. More specifically, Perlman fails to disclose or anticipate an electronic calendaring system that uses a match server comprising a match engine that automatically performs a search to match calendar events of two entities for a specific duration of time and having specific criteria, requirements, and attributes.

The present invention's goal is to integrate the time scheduling of a calendar system with a matching service, therefore allowing a user not only to be presented with a match of similar interests or needs, but also to allow a user to locate other entities or parties who can participate in the match interest or need at a particular time to occur. With regard to claim 23, Perlman does not disclose any type of electronic calendar event matching system or calendar store as described

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in the present invention. The calendar store of the present invention retains the properties and calendar components of a single or multiple calendars. The examiner states that a calendar store and a match server are used in Perlman. However, Perlman fails to mention a calendar store and calendar events as a part of the search criteria for a match. The use of a calendar is not present or suggested in Perlman nor is it described in column 11, lines 11-37 as provided by the examiner. Furthermore, Perlman does not describe the use of a match server that is connected to a calendar store by an electronic calendar application. The match server of the present invention comprises elements that locate an event match according to a calendar entry. As the calendar component of the claims of the present invention is not disclosed or described at all in the Perlman reference, Perlman fails to provide the basic elements of each of the claims.

Perlman does not disclose an event repository, response handler, or match engine in a match server that is part of an electronic calendar system. In addition, Perlman does not register, store, notify, search, delete or update a user's electronic calendar as identified in the present invention, and therefore is not described or anticipated.

Perlman further fails to disclose the period of time of an event (when an event is to occur) as a part of the search criteria. In the present invention, the duration of time is an identifying search criterion. That is, the entity creating the calendar event specifies when—a date, time, or time period, for example—the event will take place for which an activity or similar search request is to take place in order to locate a match. For example, a user has free time to play amateur tennis on next Thursday from 5:00 to 7:00 PM. The present invention includes those matches that include both the time (date and time of day) and match specifics (e.g., place, competitive level, etc.) The prior art of Perlman does not consider 'time' as a parameter in search algorithms as it is only performed when the users are logged in to provide real-time interaction.

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Further, because Perlman fails to provide or anticipate each and every element in claim 23, dependent claims 24-31 are not anticipated by Perlman as they inherit the limitations of the independent claim. The timer module of dependent claim 24 is used to schedule matching searches on a regular interval for calendar entries. The examiner states Perlman, column 10, line 1 – column 11, line 49 describes timing that begins performing matches whenever a user logs in. Rather, the Perlman reference discloses that the user (User A) must specify and request the software to make a match for playing the real-time video game. The present invention uses a match engine to search the event repository and locate a match. The user defines the specific date, time, etc. of an activity as well as the criteria, etc. for the event. Perlman only allows a user to locate a match in real-time and at the present moment when the user is logged into the system. Since the presently claimed invention identifies the scheduling of an event to be a criterion for the matching process, and the timer module is used to regularly perform searches for matches, Perlman does not anticipate the present invention. Also, Perlman does not notify entities of a match via an electronic calendar application as described in claim 25.

The examiner states that a “video game” category is described in column 11, lines 11-12. However, Perlman does not discuss the use of categories nor does it describes at least one of personal matching, job qualifications, meetings, and activities as described in claims 26 and 27 of the present invention. Perlman is limited to the request of playing and recording real-time video games.

As per claims 28 and 29, commerce activity, items for purchase, and favorable prices or rates (among others mentioned in the claims) are not disclosed in Perlman. The lines noted by the Examiner—column 9, lines 15-23—describe the problems with the cost of telephone calls and charges in the prior art. Perlman does not suggest or describe related commerce activities as described in the present invention.



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As noted by the Examiner, claims 32-39 recite limitations as described by claims 23-31. Because Perlman fails to provide or anticipate each and every element in claim 23, and similar limitations are described in independent claim 32 and dependent claims 33-39, Perlman fails to provide each and every element, including the electronic calendaring system, calendar store, and the matching of requirements and attributes of an event until it is satisfied, as described in the claims. The examiner notes that Perlman describes removing a user from a request once the request is fulfilled; that is, once the request for a user to play a real-time video game is met, the user can no longer be matched with another user. However, in the electronic calendaring system of the present invention, the matching process continues matching according to the calendar events and their requirements and attributes that are available. Claim 38 describes notifying users when an attendee deletes an event from their calendaring system. The Examiner has incorrectly correlated the users of Perlman being matched (while logged-in) with the deletion of an event. The examiner notes that once users log off of the video game system, they effectively delete their "event match." However, in the present invention, the deletion of an event match is performed by a user selecting a calendar event and removing it from a calendar schedule.

#### SUMMARY

A response to the arguments presented by the examiner has been provided with regard to the present claims. Specifically, the Perlman reference fails to provide at least the following elements: an electronic calendar matching system, a calendar store, and the matching requirement of the duration of time of an event that will occur. Furthermore, the elements of the dependent claims are not disclosed or anticipated by Perlman. As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicants' presently

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claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this amendment has been timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 12-0010.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,



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December 8, 2004